Development (1950) Department

Ms SERIES.

G.O. No. 270

Dated 22-2-50

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Despatch Abstract.

TEXTILES : THE GOVERNMENT CONTRACTORS ( DISPOSAL OF COTTON TEXTILES UNUSED MATERIAL AND REJECTED STORES) ORDER 1949 : NOTIFICATION OF THE GOVERNMENT OF INDIA : REPUBLISHED.

GOVERNMENT OF MADRAS
Abstract
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TEXTILES - The Government Contractors (Disposal of Cotton Textiles unused Material and Rejected Stores) Order 1949 - Notification of the Government of India - Republished.

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Development Department

G.O. (Ms) No. 870. Dated, the 22nd February 1949

ORDER:

The following notification of the Government of India, Ministry of Industry and Supply, dated the 29th January 1949, published at pages 119-120 of Part I Section I of the Gazette of India dated the 29th January 1949 will be republished in the Fort St. George Gazette.

Notification No.17/2-Tex:2:/49 dated 29th January 1949.

In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) the Central Government is pleased to make the following Order, namely:-

1. (1) This Order may be called the Government Contractors (Disposal of Cotton Textiles, Unused Material and Rejected Stores) Order 1949.

(2) It extends to all the Provinces of India.

(3) It shall come into force at once.

2. In this Order -

(a) "contractor" means any person who has entered into a contract with the Central Government through the Textile Commissioner for the supply, manufacture, fabrication or delivery of any article;

(b) "material" means any material supplied to a contract by the Central Government or purchased by a contractor under the arrangements made by the Textile Commissioner for supply thereof;

(c) "stores" means any quantity of any article which a contractor has contracted to supply, manufacture, fabricate or deliver;

(d) "Textile Commissioner" shall have the same meaning as in the Cotton Textiles (Control) Order, 1948.

3. Save as provided in clause 7, no contractors shall sell, deliver or otherwise dispose of any stores or material in his possession except to such persons and at such prices as the Textil Commissioner may specify by order in writing.

4. Where stores tendered by a contractor in pursuance of a contract are rejected, the contractor shall within fifteen days of the date of rejection submit to the Textile Commissioner a stat ment containing true and accurate information in relation to such rejected stores in Form "A" appended to this Order.

5. Every contractor shall within fifteen days from the completion of his contract submit to the Textile Commissioner a st ment in Form "B" appended to this Order containing true and accur information in relation to stores and materials in his possession.

Explanation: For the purpose of this clause a contract shall be deemed to have been completed immediately the contract has been performed or broken or cancelled or replaced by a new contract.

clause 5 shall be submitted in triplicate and shall be accompanied by three samples of each articles of stores or material referred to in such statement.

7. A conctractor may sell, delivery or otherwise dispose of any stores or materials at any time after ninety days from the date on which any statement relating to such stores or material submitted by him in pursuance of clause 4 or clause 5 is received by the Textile Commissioner if no instruction as to the disposal of such stores or material have before the expiry of that period been received from the Textile Commissioner.

8. Where a contractor sells or delivers any stores or materials in pursuance of clause 7 he shall within 7 days of such sale or delivery submit to the Textile Commissioner a true and accurate statement containing the names of the persons to whom, the quantities in which, and the price at which such stores or material were sold or delivered.

9. (1) The Textile Commissioner may fix the maximum prices, ex-factory wholesale and retail, or any article of stores and materials.

(2) The Textile Commissioner may specify the markings to be made on any article of stores and materials and the time and manner of making them; and before selling any such article the contractor shall make the margins thereon in such manner as the Textile Commissioner may prescribe, provided that if a contractor is unable conveniently to make the said markings he may apply to the Textile Commissioner, and thereupon the Textile Commissiner may, if he sees fit, on the contractor- making payment for the services to be rendered at the rate of Rs.1-4-0 per bale of 400 lb. or Re.1 per case of 250 lb. of yarn or 1 per cent of the wholesale price of any other article, direct that the markings shall be made by an officer of the office of the Textile Commissioner.

(3) A contractor shall not sell or dispose of any stores or materials until the maximum prices thereof have been fixed and the markings are made in accordance with this clause.

(4) No person shall sell any stores or materials, at a price exceeding the maximum price ex-factory, wholesale or retaile as the case may be, fixed under this clause.

(5) A Court shall presume unless the contrary is proved that the markings made on any cloth or yarn in the manner specified under this clause are made in accordance with this Order and the prices so marked are the maximum prices specified under this clause.

10. The Textile Commissioner may with a view to securing compliance with this order -

which it may pass direct that any stores or material in respect of which it is satisfied that such contravention has occurred shall be fofeited to the Central Government.

**Form A.**

Application
Statement (to be submitted in triplicate) for disposal of stores such as cloth, yarn, etc., manufactured against a contract with the Textile Commissioner, (Central Government

To

The Textile Commissioner
Section,
Ballard Estate, BOMBAY.

1. Name of the contractor.
2. Texmark number (in case the contractor has one)
3. Address (to which disposal instructions should be directed)
4. Telephone Number.
5. Description of stores -
   (a) Quality (give full description)
   (b) Quantity.
6. Number and date of Purchase Order against which the stores were manufactured.
7. Place of storage.
8. Prices as detailed in the Purchase Order.
9. State the reasons for rejection.
10. State*

   (a) Quantities of yarn, cloth, chemicals, dyes and other materials supplied by Government or purchased with the assistance of the Government or under purchase arrangements made by Government
   (b) Balance of such material lying with you.

Signature
(State relation with the contractor)

Does the material conform in every respect to the specificiations given in the Purchase Order. How much of the materials has been inspected and passed by the Inspection Department (give Inspection Department Certificate Number and date)? State**

(a) Quantities of yarn, cloth, chemicals, dyes and other materials supplied by Government or purchased with the assistance of the Government or under the purchase arrangements made by the Government.

(b Balance of such materials lying with you

Date.

Signature
(State the relation with the contractor)

**NOTE: A sample of each variety of stores (1 yard full width in case of yarn, 1 knot in the case of yarn, 1 article in case of garments) should accompany each form

By order of His Excellency the Governor)

To the Superintendent, Government Press (with enclosures in original) He is requested to furnish to Government 85 copies of the Notification.)

Copy to the Provincial Textile Commissioner (with notification)
Copy to all Collectors (with notification).
Copy to the Board of Revenue ( " )
Copy to the Board of Revenue (Excise) with notification
Copy to the Board of Revenue (Civil Supplies) -do-
Copy to the Inspector-General of Police -do-
Copy to the Commissioner of Police. -do-
Copy to the Registrar of Co-operative Societies -do-
Copy to the Director of Industries and Commerce -do-

/True copy/

K Thangarajan 28-11

Office Assistant,
Madras Record Office, Egmore.

28/11/25

GOVERNMENT OF MADRAS
Development Department.

Memorandum No. 18633-Mii/49-1 dated the 22nd February 1949.

Sub: TEXTILES - The Government Contractors' (Disposal of Cotton Textiles unused material and rejected stores) Order 1949 - Notification of the Textile Commissioner, Bombay - Republished.

The following Notirications of the Textile Commissioner, Bombay, dated 29th January 1949 published at page 121 of Part I Section I of the Gazette of India dated the 29th January 1949 will be re-published in the Fort St.George Gazette:-

MINISTRY OF INDUSTRY & SUPPLY
Bombay, the 29th Jany. 1949.

No. 17/2-Tex.2/49(i). In exercise of the powers conferred on me by clause ii of the Government Contractors (Disposal of Cotton Textiles Unused Material and Rejected Stores) Order, 1949, I hereby authorise each of the officers in the office, of the Textile Commissioner specified below to discharge on my behalf all or any of my functions and powers under the said Order:

(1) Mr. D-P. Bhandari, Deputy Textile Commissioner.
(2) Mr. M.R. Kazimi, Director.
(3) Mr. A.R.R. Deshpande, Director.

T.P. BARAT
Textile Commissioner.

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MINISTRY OF INDUSTRY & SUPPLY
Bombay, the 29th January 1949.

No. 17/2-Tex.2/49(ii). In exercise of the powers conferred on me by clause ii of the Government Contractors (Disposal of Cotton Textiles Unused Material and Rejected Stores) Order 1949, I hereby authorise the Principal Officer appointed by each Provincial Government for the administration of the textile control to discharge on my behalf the function under clause 9 (1) of the said Order to specify in relation to sales made within his jurisdiction the maximum wholesale prices of cloth and yarn to which the said Order applies.

MINIST T.P. Barat
Textile Commissioner.

MINISTRY OF INDUSTRY & SUPPLY
Bombay, the 29th January 1949.

No.17/2-Tex.2(49(iii). In exercise of the powers conferred on me by sub clause (2) of clause 9 of the Government Contractors (Disposal of Cotton Textiles Unusued Material and Rejected Stores) Order, 1949, I hereby direct that the following markings shall be made on cloth and yarn to which the said Order applies:-

(a) The month and year of packing.
(b) The letter "G" in capital.
(c) The maximum ex-factory price specified by the Textile Commissioner.
(d) The maximum retail price specified by the Textile Commissioner.

2. The markings shall be made --

(a) on each piece of cloth at a distance or one yard from the end and, in the case of yarn, on a paper label to be inserted in the centre of every bundle, in letters and figures not less than 1/2" in height.

(b) on every bale or package of cloth or yarn in letters and figures not less than 1½" in height.

T.P. BARAT
Textile Commissioner.

C.P. GOPALAN NAYAR
Assistant Secretary to Government

To the Superintendent Government Press.
To the Provincial Textile Commissioner.
To all Collectors.
To the Inspector-General of Police.
To the Commissioner of Police.

/True copy/

R. Thiagarajan 25.11

Office Assistant,
Madras Record Office, Egmore.

25/11/10.